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the broader information technology industries play an increasingly expansive role in our society. Therefore, in this Executive order, I am directing each Federal department and agency to ensure that all creation, placement, and transmission of Federal advertising is fully reflective of the Nation's diversity. Further, this Executive order directs each Federal department and agency to take clearly defined and aggressive steps to ensure small and disadvantaged business participation in procurement of information technology and telecommunications contracts.

This Executive order will ensure that Federal departments and agencies are held accountable on these issues. It does so by clearly listing the responsibilities and obligations of each agency to expand opportunities for disadvantaged businesses and requires the agencies to report to me within 90 days of the issuance of this order the steps they plan to take to increase contracting with disadvantaged businesses. Subsequently, the agencies will be required to submit annual reports on their ongoing efforts in this area to the Director of the Office of Management and Budget to ensure at the highest levels the executive branch will sustain on unflagging and aggressive efforts to achieve this important goal.

NOTE: This item was not received in time for publication in the appropriate issue.

Executive Order 13170—Increasing Opportunities and Access for Disadvantaged Businesses

October 6, 2000

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Small Business Act (15 U.S.C. 631 *et seq.*), section 7102 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 15 U.S.C. 644 note), the Office of Federal Procurement Policy Act (41 U.S.C. 403 *et seq.*), Executive Order 11625, and to provide for increased access for disadvantaged businesses to Federal contracting opportunities, it is hereby ordered as follows:

Section 1. *Policy.* It is the policy of the executive branch to ensure nondiscrimination in Federal procurement opportunities for businesses in the Small Disadvantaged Business Program (SDBs), businesses in the section 8(a) Business Development program of the Small Business Administration (8(a)s), and Minority Business Enterprises (MBEs) as defined in section 6 of Executive Order 11625, of October 13, 1971, and to take affirmative action to ensure inclusion of these businesses in Federal contracting. These businesses are of vital importance to job growth and the economic strength of the United States but have faced historic exclusion and underutilization in Federal procurement. All agencies within the executive branch with procurement authority are required to take all necessary steps, as permitted by law, to increase contracting between the Federal Government and SDBs, 8(a)s, and MBEs.

Sec. 2. *Responsibilities of Executive Departments and Agencies with Procurement Authority.* The head of each executive department and agency shall carry out the terms of this order and shall designate, where appropriate, his or her Deputy Secretary or equivalent to implement the terms of this order.

(a) Each department and agency with procurement authority shall:

(i) aggressively seek to ensure that 8(a)s, SDBs, and MBEs are aware of future prime contracting opportunities through wide dissemination of contract announcements, including sources likely to reach 8(a)s, SDBs, other small businesses, and MBEs. Each department and agency shall use all available forms of communication to implement this provision, including the Internet, speciality press, and trade press;

(ii) work with the Small Business Administration (SBA) to ensure that information regarding sole source contracts awarded through the section 8(a) program receives the widest dissemination possible to 8(a)s;

(iii) ensure that the price evaluation preference programs authorized by the Federal Acquisition Streamlining Act

of 1994 are used to the maximum extent permitted by law in areas of economic activity in which SDBs have historically been underused;

(iv) aggressively use the firms in the section 8(a) program, particularly in the developmental stage of the program, so that these firms have an opportunity to overcome artificial barriers to Federal contracting and gain access to the Federal procurement arena;

(v) ensure that department and agency heads take all reasonable steps so that prime contractors meet or exceed Federal subcontracting goals, and enforce subcontracting commitments as required by the Small Business Act (15 U.S.C. 637(d)) and other related laws. In particular, they shall ensure that prime contractors actively solicit bids for subcontracting opportunities from 8(a)s and SDBs, and fulfill their SDB and section 8(d) subcontracting obligations. Enforcement of SDB subcontracting plan commitments shall include assessments of liquidated damages, where appropriate, pursuant to applicable contract clauses;

(vi) encourage the establishment of business-to-business mentoring and teaming relationships, including the implementation of Mentor-Protege programs, to foster the development of the technical and managerial capabilities of 8(a)s and SDBs and to facilitate long-term business relationships;

(vii) offer information, training, and technical assistance programs for 8(a)s and SDBs including, where appropriate, Government acquisition forecasts in order to assist 8(a)s and SDBs in developing their products, skills, business planning practices, and marketing techniques;

(viii) train program and procurement officials regarding the policy of including 8(a)s and SDBs in Federal procurement. This includes prescribing procedures to ensure that acquisition planners, to the maximum extent practicable, structure acquisitions to facilitate competition by SDBs and 8(a)s, including their participation in the competition of multiple award requirements;

(ix) provide the information required by the Department of Commerce when it requests data to develop the benchmarks used in the price evaluation preference programs authorized by the Federal Acquisition Streamlining Act of 1994;

(x) ensure that Directors of Offices of Small and Disadvantaged Business Utilization carry out their responsibilities to maximize the participation of 8(a)s and SDBs in Federal procurement and, in particular, ensure that the Directors report directly to the head of each department or agency as required by law; and

(xi) as required by law, establish with the Small Business Administration small business goals to ensure that the government-wide goal for participation of small business concerns is not less than 23 percent of Federal prime contracts. Where feasible and consistent with the effective and efficient performance of its mission, each agency shall establish a goal of achieving a participation rate for SDBs of not less than 5 percent of the total value of prime contract awards for each fiscal year and of not less than 5 percent of the total value of subcontract awards for each year. Each agency shall also establish a goal for awards made to 8(a) firms pursuant to section 8(a) of the Small Business Act. These goals shall be considered the minimum goals and every effort shall be taken to exceed these goals wherever feasible.

(b) Each department and agency with procurement authority shall:

(i) develop a long-term comprehensive plan to implement the requirements of section 2(a) of this order and submit this plan to the Director of the Office of Management and Budget (OMB) within 90 days of the date of this order. The Director of OMB shall review each plan and report to the

President on the sufficiency of each plan to carry out the terms of this order; and

(ii) annually, by April 30 each year, assess its efforts and the results of those efforts to increase utilization of 8(a)s, SDBs, and MBEs as both prime contractors and subcontractors and report on those efforts to the President through the Director of OMB, who shall review the evaluations made of the agency assessments by the Small Business Administration.

Sec. 3. *Responsibilities of the Small Business Administration.* The Administrator of the SBA shall:

(a) evaluate on a semi-annual basis, using the Federal Procurement Data System (FPDS), the achievement of government-wide prime and subcontract goals and the actual prime and subcontract awards to 8(a)s and SDBs for each department and agency. The OMB shall review SBA's evaluation;

(b) ensure that Procurement Center Representatives receive adequate training regarding the section 8(a) and SDB programs and that they consistently and aggressively seek opportunities for maximizing the use of 8(a)s and SDBs in department and agency procurements; and

(c) ensure that each department and agency's small and disadvantaged business procurement goals as well as the amount of procurement of each department and agency with 8(a)s, SDBs, and MBEs is publicly available in an easily accessible and understandable format such as through publication on the Internet.

Sec. 4. *Federal Advertising.* Each department or agency that contracts with businesses to develop advertising for the department or agency or to broadcast Federal advertising shall take an aggressive role in ensuring substantial minority-owned entities' participation, including 8(a), SDB, and MBE, in Federal advertising-related procurements. Each department and agency shall ensure that all creation, placement, and transmission of Federal advertising is fully reflective of the Nation's diversity. To achieve this diversity, special attention shall be given to ensure placement in publications and television and radio stations that reach specific ethnic and racial audiences. Each department and agency shall ensure that payment for Federal advertising is commensurate with fair market rates in the relevant market. Each department and agency shall structure advertising contracts as commercial acquisitions consistent with part 12 of the Federal Acquisition Regulation processes and paperwork to enhance participation by 8(a)s, SDBs, and MBEs.

Sec. 5. *Information Technology.* Each department and agency shall aggressively seek to ensure substantial 8(a), SDB, and MBE participation in procurements for and related to information technology, including procurements in the telecommunications industry. In so doing, the Chief Information Officer in each department and agency shall coordinate with procurement officials to implement this section.

Sec. 6. *General Services Administration Schedules.* The SBA and the General Services Administration (GSA) shall act promptly to expand inclusion of 8(a)s and SDBs on GSA Schedules, and provide greater opportunities for 8(a) and SDB participation in orders under such schedules. The GSA should ensure that procurement and program officials at all levels that use GSA Schedules aggressively seek to utilize the Schedule contracts of 8(a)s and SDBs. The GSA shall allow agencies ordering from designated 8(a) firms under the Multiple Award Schedule to count those orders toward their 8(a) procurement goals.

Sec. 7. *Bundling Contracts.* To the extent permitted by law, departments and agencies must submit to the SBA for review any contracts that are proposed to be bundled. The determination of the SBA with regard to the appropriateness of bundling in each instance must be carefully reviewed by the department or agency head, or his or her designee, and must be given due consideration. If there is an unresolvable conflict, then the SBA or the department or agency can seek assistance from the OMB.

Sec. 8. *Awards Program.* The Secretary of Commerce and the Administrator of the SBA shall jointly undertake a feasibility study to determine the appropriateness of an awards program for executive departments and agencies who best exemplify the letter

and intent of this order in increasing opportunities for 8(a)s, SDBs, and MBEs in Federal procurement. Such study shall be presented to the President within 90 days of the date of this order.

Sec. 9. *Applicability.* Independent agencies are requested to comply with the provisions of this order.

Sec. 10. *Administration, Enforcement, and Judicial Review.*

(a) This order shall be carried out to the extent permitted by law and consistent with the Administration's priorities and appropriations.

(b) This order is not intended and should not be construed to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees.

William J. Clinton

The White House,
October 6, 2000.

[Filed with the Office of the Federal Register, 8:45 a.m., October 11, 2000]

NOTE: This Executive order was published in the *Federal Register* on October 12. This item was not received in time for publication in the appropriate issue.

Proclamation 7358—Leif Erikson Day, 2000

October 6, 2000

By the President of the United States of America

A Proclamation

This year, as we mark the beginning of a new millennium, we also celebrate the 1000th anniversary of Europe's first contact with North America. At the turn of the last millennium, the legendary explorer Leif Erikson—son of Iceland, grandson of Norway—sailed across the cold waters of the Atlantic from his home in Greenland to the eastern coast of North America, completing the first documented voyage of Europeans to the New World.

In the ensuing centuries, millions of other men and women followed the lead of these brave Vikings—some seeking riches, some seeking adventure, all in search of a new and better life. Families from Denmark, Finland, Iceland, Sweden, and Norway would make their new homes in communities like New Sweden, Delaware; Oslo, Minnesota; and Denmark, Iowa, bringing with them a reverence for freedom and a deep love of democracy that stemmed from their own egalitarian traditions. More than 10 million Americans today can trace their roots to the Nordic countries, and their family ties, traditions, and values have strengthened the warm friendship our Nation has always enjoyed with the people of Scandinavia.

In celebration of this friendship and our shared pride in Leif Erikson's exploits, Americans have joined with the Nordic countries to commemorate this special anniversary. The Smithsonian Institution sponsored a traveling exhibit earlier this year to highlight the Viking explorations of North America; the Library of Congress hosted an international symposium on the ancient texts of the Icelandic Sagas, many of which were displayed in the United States for the first time; and we joined Iceland in creating our first jointly issued coin to commemorate Leif Erikson's historic voyage.

These cultural initiatives reflect the strong ties and long history between the United States and the Nordic countries, and we continue to cooperate on many mutual goals. The Nordic countries are our full partners in the Northern Europe Initiative (NEI), which we launched in 1997 to build on the dramatic progress toward a free Europe that occurred following the break-up of the Soviet Union. Through the NEI, we are working together to promote democracy, stability, and prosperity in the Baltic nations and northwest Russia, to facilitate their fuller integration into Western institutions, and to cooperate on such cross-border issues as energy, health, law enforcement, and the environment. In addition, many of the best and brightest entrepreneurs in America and the Nordic countries are collaborating to encourage trade and the spread of innovative ideas and technologies around the world. Americans and Nordics alike value courage, independence, energy, and resourcefulness; working together in this new millennium, we are charting a new course for our people just